

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 06, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NICHOLE K.,

Plaintiff,

vs.

MICHELLE KING, Acting
Commissioner of Social Security,¹

Defendant.

No. 2:24-CV-00383-JAG

ORDER GRANTING
STIPULATED REMAND

Before the court is the parties' Stipulated Motion to Remand. ECF No. 9.
After considering the file and proposed order, it is hereby **ORDERED**:

1. The parties Stipulated Motion to Remand, **ECF No. 9**, is **GRANTED**.
2. Based on the stipulation of the parties, the above-captioned case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the Appeals Council shall instruct the Administrative Law Judge to reevaluate the evidence of record and issue a new decision.

¹ Michelle King became the Acting Commissioner of Social Security on January 21, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Michelle King is substituted for Martin J. O'Malley as the defendant in this suit. No further action need be taken to continue this suit. See 42 U.S.C. § 405(g).

3. All other pending motions are **DENIED AS MOOT**.

4. Judgment shall be entered for **Plaintiff**.

5. Upon proper consideration, the Court will consider Plaintiff's application for reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

The District Court Executive is directed to enter this Order, enter judgment in favor of the Plaintiff, provide copies of the Order and Judgment to counsel, and **CLOSE THIS FILE**.

DATED February 6, 2025.



A handwritten signature in blue ink, reading "James A. Goeke", is positioned above the printed name of the judge.

JAMES A. GOEKE
UNITED STATES MAGISTRATE JUDGE